

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DANIEL STORM,)	CASE NO. 4:08CV1690
)	
PLAINTIFF,)	JUDGE PETER C. ECONOMUS
)	
V.)	
)	
BUREAU OF PRISONS, et al.,)	ORDER
)	
DEFENDANTS.)	

On February 11, 2009, the Court issued an order assigning this case to Magistrate Judge James S. Gallas for general pretrial supervision. (Dkt. # 13). On June 2, 2009, the Magistrate Judge issued an Interim Report and Recommendation recommending that Plaintiff Daniel Storm (“Storm”) be permitted either to amend his complaint within 30 days to include sufficient alternative allegations to provide a jurisdictional statement based on something other than the Federal Tort Claims Act, or state that he elects to pursue the small claims remedy under 31 U.S.C. Sect 3723. (Dkt. # 18). The Magistrate Judge further recommended that if Storm fails to elect either alternative course, then the Complaint should be dismissed without prejudice. *Id.* On June 15, 2005 Storm filed a Motion for Leave to File First Amended Complaint. (Dkt. # 19).

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service. Storm and Defendants have failed to timely file any such objections. Therefore, the Court must assume that Storm and Defendants are satisfied with the Magistrate Judge’s recommendation. Any further

review by this Court would be a duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Interim Report and Recommendation of Magistrate Judge Gallas is hereby **ADOPTED**. (Dkt. # 18). Storm's Motion for Leave to File First Supplemental Complaint is **GRANTED**. (Dkt. # 19).

IT IS SO ORDERED.

/s/ Peter C. Economus – June 18, 2009
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE